

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Stipulated Settlement
and Disciplinary Order Against:

GLORIA STILL
18479 Fleetwood Avenue
Castro Valley, CA 94546

Registered Nurse License No. 270708

Respondent

OAH No. 2008050681

STIPULATED SURRENDER OF
LICENSE AND ORDER

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

IT IS SO ORDERED February 22, 2010.

This Decision shall become effective on February 22, 2010.

Louise R. Bailey M.Ed., RN

Louise R. Bailey, M.Ed., RN Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Stipulated Settlement and
Disciplinary Order Against:

GLORIA STILL
18479 Fleetwood Avenue
Castro Valley, CA 94546

Registered Nurse License No. 270708

Respondent.

OAH No. 2008050681

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties that
the following matters are true:

PARTIES

1. Louise R. Bailey, M.Ed., R.N. (Complainant) is the Interim Executive
Officer of the Board of Registered Nursing, who brought this action solely in her official
capacity.

2. Gloria Still (Respondent), is representing herself in this proceeding and
has chosen not to exercise her right to be represented by counsel.

3. On or about August 31, 1976, the Board of Registered Nursing issued
Respondent Nurse License No. 270708 to Respondent. Respondent's license was revoked
effective June 24, 1990. Effective August 22, 2008, Respondent's license was re-instated and
placed on a two-year probation. The Registered Nurse was license was in full force and effect at
and will expire on November 30, 2011, unless renewed.

JURISDICTION

4. On July 24, 2008, the Board of Registered Nursing adopted Reinstatement
and Disciplinary Order OAH No. 2008050681, which became effective on August 22, 2008. The
Reinstatement and Disciplinary Order requires, inter alia, the respondent to serve a two-year
probation term that includes Probation Conditions # 1-16. The Reinstatement and Disciplinary

Order is attached as exhibit A and incorporated herein by reference.

5. At all times after the effective date of Respondent's probation, Condition 12 states,

"License Surrender - During petitioner's term of probation, if she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, petitioner may surrender her license to the Board. The Board reserves the right to evaluate petitioner's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, petitioner will no longer be subject to the conditions of probation.

Surrender of peitioners license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

- (1) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or
- (2) One year for a license surrendered for a mental or physical illness."

ADVISEMENT AND WAIVERS

6. Respondent has carefully read and understands Reinstatement and Disciplinary Order OAH No. 2008050681. Respondent has carefully read, and understands the effects of this Stipulated Surrender of License and Order and understands that this Stipulated Surrender, if accepted by the Board, is considered as formal discipline of her license.

7. Respondent understands that by signing this stipulation she enables the Board to accept the surrender of her Registered Nurse License without further process.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 22
- 22
- 22
- 22
- 22

2
3
4
5
6
7
8

9
0
1
2
3
4

15
16
1718
19

20

2:
22
2:

2
2
2
2
2

1 13. Respondent shall lose all rights and privileges as a Registered Nurse in
2 California as of the effective date of the Board's Decision and Order.

3 14. Respondent shall cause to be delivered to the Board both her pocket
4 license and wall certificate, if one was issued, on or before the effective date of the Decision
5 and Order.

6 15. Respondent fully understands and agrees that if she ever files an application
7 for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a
8 petition for reinstatement. Respondent must comply with all the laws, regulations and
9 procedures for reinstatement of a revoked license in effect at the time the petition is filed, and
10 all of the charges and allegations contained in Reinstatement OAH No. 2008050681 shall be
11 deemed to be true, correct and admitted by Respondent when the Board determines whether to
12 grant or deny the petition.

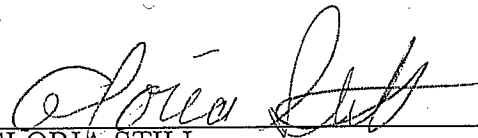
13 16. Respondent shall not apply for licensure or petition for reinstatement for
14 two years from the effective date of the Board of Registered Nursing's Decision and Order.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: Feb 1, 2010.




GLORIA STILL
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully accepted by Louise R. Bailey, M.Ed., R.N. (Complainant) is the Interim Executive Officer for the Board of Registered Nursing.

DATED: 2-22-10



Louise R. Bailey, M.Ed., R.N.
Interim Executive Officer

BOARD OF REGISTERED NURSING



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "A"

Reinstatement and Disciplinary Order OAH No. 2008050681

APPROVED FOR SIGNATURE
DATE 05/06/08 BY [illegible]
[illegible]
[illegible]

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reinstatement of:

GLORIA STILL

Registered Nurse License No. 270708

Petitioner.

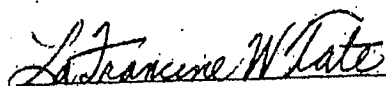
OAH No. 2008050681

DECISION

The attached Decision of the Board of Registered Nursing is hereby adopted by the Board as its Decision in the above-entitled matter.

This Decision shall become effective on August 22, 2008.

IT IS SO ORDERED this 24th day of July 2008.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of Petition for Reinstatement
of:

GLORIA STILL,

Petitioner.

OAH No. 2008050681

DECISION

This matter was heard by a quorum of the Board of Registered Nursing (Board) on June 12, 2008, in Burlingame, California. The Board members participating in the hearing and decision were LaFrancine Tate, Public Member, President; Susanne Phillips, MSN, RN, APRN-BC, FNP, Vice President; Andrea Dutton, Public Member; Elizabeth O. Dietz, Ed.D., RN, CS-NP; Nancy Beecham, RNC, BS; and Janice Glaab, Public Member. Administrative Law Judge Ruth S. Astle, State of California, Office of Administrative Hearings, presided.

Hannah H. Rose, Deputy Attorney General, represented the Department of Justice, State of California.

Petitioner Gloria Still was present and represented herself.

The matter was submitted on June 12, 2008.

FACTUAL FINDINGS

1. Gloria Still (petitioner) was issued RN License number J-270708 on August 31, 1976. Her license was revoked effective June 24, 1990, for making grossly incorrect and inconsistent entries in patient records and conviction of an offense that is substantially related to the duties, qualifications and functions of a licensee. Petitioner was convicted of welfare fraud in 1997. She also was disciplined for diverting Demerol and being under the influence of Demerol while on duty in 1982/83. She was placed on probation in 1983 and successfully completed her probation to the Board in July 1986.

She presented proof of completion of her criminal probation on the welfare fraud charge in 2002, however, she is still paying back the money she owes.

2. Petitioner acknowledges that she has a drug abuse problem. She has been clean and sober since November 1988. She attends one AA meeting each week. It is a women's meeting in Pleasanton, California.

3. Petitioner plans to attend a nurse reentry program and take her licensing exam.

4. Petitioner has been working as the Breast Care Coordinator at Kaiser Permanente in South San Francisco. She presented copies of her highly satisfactory employment evaluations and two letters from surgeons at that facility as well as a letter from a friend and former co-worker who all commend her work as a knowledgeable and strong patient advocate. She plans to continue in her position at Kaiser if her license is reinstated and engage in some direct patient care.

5. The Board finds that petitioner has demonstrated sufficient rehabilitation to allow reinstatement of her revoked license upon terms and conditions of probation as set forth below.

LEGAL CONCLUSIONS

1. Government Code section 11522 allows petitioner to petition for reinstatement of her license. Business and Professions Code section 2760.1 also allows petitioner to petition for reinstatement.

2. California Code of Regulations, title 16, section 1445, sets forth the criteria to be used in evaluating rehabilitation. Petitioner has demonstrated sufficient rehabilitation to warrant reinstatement of her license upon terms and conditions.

ORDER

The Petition of Gloria Still for reinstatement of her registered nursing license is hereby granted. Upon successful completion of the licensure examination and all other licensing requirements, a license shall be issued to petitioner. That license shall be immediately revoked, the order of revocation is stayed and petitioner's license shall be placed on probation for a period of two years with the following terms and conditions:

- (1) OBEY ALL LAWS - Petitioner shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by petitioner to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, petitioner shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

CRIMINAL COURT ORDERS: If petitioner is under criminal court orders, including probation or parole, and the order is violated, this shall be

deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

- (2) COMPLY WITH THE BOARD'S PROBATION PROGRAM - Petitioner shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of petitioner's compliance with the Board's Probation Program. Petitioner shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, petitioner's license shall be fully restored.

- (3) REPORT IN PERSON - Petitioner, during the period of probation, shall appear in person at interviews/ meetings as directed by the Board or its designated representatives.
- (4) RESIDENCY, PRACTICE, OR LICENSURE OUTSIDE OF STATE - Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Petitioner's probation is tolled, if and when she resides outside of California. Petitioner must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state. Petitioner shall provide a list of all states and territories where she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Petitioner shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Petitioner shall inform the Board if she applies for or obtains a new nursing license during the term of probation.
- (5) SUBMIT WRITTEN REPORTS - Petitioner, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to petitioner's compliance with all the conditions of the Board's Probation Program. Petitioner shall immediately execute all release of information forms as may be required by the Board or its representatives.

Petitioner shall provide a copy of this decision to the nursing regulatory agency in every state and territory in which she has a registered nurse license.

- (6) FUNCTION AS A REGISTERED NURSE - Petitioner, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

If petitioner has not complied with this condition during the probationary term, and petitioner has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of petitioner's probation period up to one year without further hearing in order to comply with this condition. During the one-year extension, all original conditions of probation shall apply.

- (7) EMPLOYMENT APPROVAL AND REPORTING REQUIREMENTS - Petitioner shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Petitioner shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Petitioner shall provide a copy of this decision to her employer and immediate supervisors prior to commencement of any nursing or other health care related employment.

In addition to the above, petitioner shall notify the Board in writing within seventy-two (72) hours after she obtains any nursing or other health care related employment. Petitioner shall notify the Board in writing within seventy-two (72) hours after she is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

- (8) SUPERVISION - Petitioner shall obtain prior approval from the Board regarding petitioner's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

Petitioner shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Petitioner's level of supervision and/or collaboration may include, but is not limited to the following:

- (a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.
 - (b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours petitioner works.
 - (c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with petitioner at least twice during each shift worked.
 - (d) Home Health Care - If petitioner is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with petitioner as required by the Board each work day. Petitioner shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by petitioner with or without petitioner present.
- (9) EMPLOYMENT LIMITATIONS - Petitioner shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Petitioner shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Petitioner shall not work in any other registered nursing occupation where home visits are required.

Petitioner shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict petitioner from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Petitioner shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Petitioner shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If petitioner is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

- (10) COMPLETE A NURSING COURSE(S) - Petitioner, at her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term. Petitioner shall obtain prior approval from the Board before enrolling in the course(s). Petitioner shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to petitioner after photocopying them for its records.

- (11) VIOLATION OF PROBATION - If a petitioner violates the conditions of her probation, the Board after giving petitioner notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of petitioner's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against petitioner's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against petitioner's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

- (12) LICENSE SURRENDER - During petitioner's term of probation, if she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, petitioner may surrender her license to the Board. The Board reserves the right to evaluate petitioner's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, petitioner will no longer be subject to the conditions of probation.

Surrender of petitioner's license shall be considered a disciplinary action and shall become a part of petitioner's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

- 1) Two years for reinstatement of a license that was surrendered for any

- reason other than a mental or physical illness; or
2) One year for a license surrendered for a mental or physical illness.

- (13) PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM FOR CHEMICAL DEPENDENCE - Petitioner, at her expense, shall successfully complete during the probationary period or shall have successfully completed prior to commencement of probation a Board-approved treatment/rehabilitation program of at least six months duration. As required, reports shall be submitted by the program on forms provided by the Board. If petitioner has not completed a Board-approved treatment/rehabilitation program prior to commencement of probation, petitioner, within 45 days from the effective date of the decision, shall be enrolled in a program. If a program is not successfully completed within the first nine months of probation, the Board shall consider petitioner in violation of probation.

Based on Board recommendation, each week petitioner shall be required to attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent shall be added. Petitioner shall submit dated and signed documentation confirming such attendance to the Board during the entire period of probation. Petitioner shall continue with the recovery plan recommended by the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing recovery groups.

- (14) ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING) DRUGS - Petitioner shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a health care professional legally authorized to do so as part of documented medical treatment. Petitioner shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing health professional, a report identifying the medication, dosage, the date the medication was prescribed, petitioner's prognosis, the date the medication will no longer be required, and the effect on the recovery plan, if appropriate.

Petitioner shall identify for the Board a single physician, nurse practitioner or physician assistant who shall be aware of petitioner's history of substance abuse and will coordinate and monitor any prescriptions for petitioner for dangerous drugs, controlled substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report to the Board on a quarterly basis petitioner's compliance with this condition. If any substances considered addictive have been prescribed, the report shall identify a program for the time limited use of any such substances.

The Board may require the single coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive medicine.

- (15) SUBMIT TO TESTS AND SAMPLES - Petitioner, at her expense, shall participate in a random, biological fluid testing or a drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. Petitioner is responsible for keeping the Board informed of petitioner's current telephone number at all times. Petitioner shall also ensure that messages may be left at the telephone number when she is not available and ensure that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and petitioner shall be considered in violation of probation.

In addition, petitioner, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If petitioner has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board files a petition to revoke probation or an accusation, the Board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

If petitioner fails to participate in a random, biological fluid testing or drug screening program within the specified time frame, petitioner shall immediately cease practice and shall not resume practice until notified by the Board. After taking into account documented evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

- (16) COST RECOVERY - Petitioner shall pay to the Board costs associated with its investigation and enforcement¹ pursuant to Business and Professions Code section 125.3 in the amount set forth by the Board. Petitioner shall be permitted to pay these costs in a payment plan approved by the Board, with

¹ No specific amount was stated at the hearing. The Board shall determine if cost recovery is owed by petitioner and the actual amount owed.

payments to be completed no later than three months prior to the end of the probation term.

If petitioner has not complied with this condition during the probationary term, and petitioner has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of petitioner's probation period up to one year without further hearing in order to comply with this condition. During the one-year extension, all original conditions of probation will apply.

DATED: July 24, 2008

LaFrancine Tate

LaFRANCINE TATE, Public Member
President, California Board of Registered Nursing

NOTED
JUL 24 2008
RECEIVED

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

Case No. 90-42

GLORIA E. ROBERTS)
196 Cherry Way)
Hayward, CA 94541)
Registered Nurse License)
No. J 270708)

OAH No. N 35193

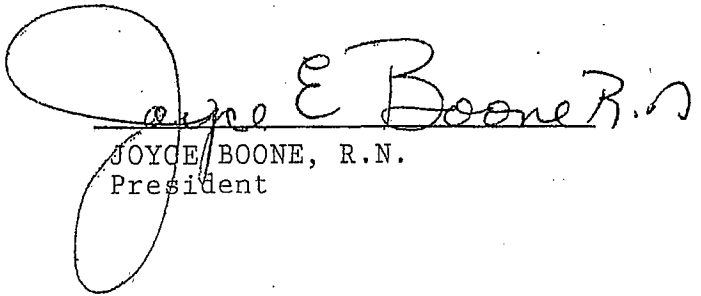
Respondent.)
_____)

DECISION

The attached Proposed Decision of the Administrative Law
Judge is hereby adopted by the Board of Registered Nursing
as its Decision in the above-entitled matter.

This Decision shall become effective on June 24, 1990.

IT IS SO ORDERED May 23, 1990.


JOYCE BOONE, R.N.
President

OAH 15 (Rev. 6/84)

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)	
Against:)	Case No. 90-42
)	
GLORIA E. ROBERTS)	OAH No. N 35193
196 Cherry Way)	
Hayward, CA 94541)	
Registered Nurse License)	
No. J 270708)	
)	
)	
Respondent.)	
)	
)	

PROPOSED DECISION

On April 2, 1990, in San Francisco, California, Robert R. Coffman, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

R. Richard Arnold, Deputy Attorney General, represented the complainant.

Gloria E. Roberts was not present or otherwise represented.

FINDINGS OF FACT

I

Catherine M. Puri, R.N., Ph.D., made the accusation in her official capacity as Executive Officer, Board of Registered Nursing, Department of Consumer Affairs.

II

On August 31, 1976, the Board of Registered Nursing issued registered nurse license number J 270708 to Gloria E. Still (now Roberts). The license will expire November 30, 1989, unless renewed.

III

"Demerol," a brand of meperidine hydrochlorida, a derivative of pethidine, is a Schedule II controlled substance as designated by Health and Safety Code section 11055(c)(16).

"Valium," a brand of diazepam, is a Schedule IV controlled substance as designated by Health and Safety Code section 11057(d)(7).

IV

Respondent has subjected her license to discipline under Business and Professions Code section 2761(a) on the grounds of unprofessional conduct as defined in section 2762(e) of that Code in that in or about October and November, 1988, while employed as a registered nurse at the Eden Hospital Medical Center, Castro Valley, California, she falsified, made grossly incorrect, grossly inconsistent and unintelligible entries in hospital and patient records pertaining to Demerol and Valium, controlled substances, in the following respects:

Patient B.G.

a. On October 8, 1988, at 11:30 a.m., on line 8, on the Controlled Drug Record, she signed out 75 mg. of Demerol, charted the patient's medication administration record as having administered the medication but failed to make any entry in the patient's care record regarding pain.

b. On October 8, 1988, at 1435, on line 12, on the Controlled Drug Record, she signed out 75 mg. of Demerol, charted the patient's medication administration record as having administered the medication but entered on the Controlled Drug Record that the medication had been wasted.

Patient J.R.

c. On November 5, 1988, at 0730, on line 1, on the Controlled Drug Record, she signed out 50 mg. of Demerol, charted the patient's medication administration record as having administered the medication but failed to make any entries in the patient care record to complete charting for this patient.

d. On November 5, 1988, at 1030, on line 9, on the Controlled Drug Record, she signed out 50 mg. of Demerol, charted the patient's medication administration record as having administered the medication but failed to make any entries in the patient care record to complete charting for this patient.

e. On November 5, 1988, at 1330, on line 14, on the Controlled Drug Record, she signed out 50 mg. of Demerol, charted the patient's medication administration record as having administered the medication but failed to make any entries in the patient care record to complete charting for this patient.

f. On November 6, 1988, at 1200, on line 9, on the Controlled Drug Record, she signed out 50 mg. of Demerol, charted the patient's medication administration record as having administered the medication but failed to make any entry in the

patient's care record indicating that the patient had been medicated.

Patient P.W.

g. On November 5, 1988, at 1500, on line 16, on the Controlled Drug Record, she signed out 100 mg. of Demerol, but failed to chart the administration on the patient's medication administration record.

h. On November 5, 1988, at 1400, on line 10, on the Controlled Drug Record, she signed out 5 mg. of Valium, but failed to chart the administration on the patient's medication administration record.

Patient T.E.

i. On November 5, 1988, at 0855, on line 2, on the Controlled Drug Record, she signed out 100 mg. of Demerol, charted the patient's medication administration record as having administered the medication, but indicated on the Combined Progress Notes that the medication had been administered at 0800.

j. On November 5, 1988, at 1320, on line 10, on the Controlled Drug Record, she signed out 50 mg. of Demerol, but failed to chart the administration on the patient's medication administration record.

k. On November 5, 1988, at 1340, on line 12, on the Controlled Drug Record, she signed out 100 mg. of Demerol, but failed to chart the administration on the patient's medication administration record.

l. On November 5, 1988, at 1205, on line 12, on the Controlled Drug Record, she signed out 50 mg. and 100 mg. doses of Demerol, but failed to chart the administration on the patient's medication administration record and the sign out was contrary to physician's order which called for 100 mg. of Demerol every three to four hours for pain.

Patient D.S.

m. On November 1, 1988, she made an entry on the patient's Patient Care Record indicating that the patient had been medicated two times on that day, when in fact, the patient had been medicated three times.

Patient M.S.

n. On October 31, 1988, at 1105, on line 4, on the Controlled Drug Record, she signed out 50 mg. of Demerol, noting that 30 mg. was wasted, but failed to note the wastage of the other 20 mg. when the patient refused the medication.

o. On October 31, 1988, at 1405, on line 7, on the Controlled Drug Record, she signed out 50 mg. of Demerol, noting that 35 mg. was wasted, but she failed to chart the administration on the patient's medication administration record.

Patient J.E.

p. On November 1, 1988, at 1440, on line 8, on the Controlled Drug Record, she signed out 75 mg. of Demerol, but charted the patient's medication administration record as having administered the medication at 1430.

V

On July 29, 1983, the Board of Registered Nursing in case number 83-103, entitled In the Matter of the Accusation Against Gloria Still, R.N. (now Roberts), revoked respondent's registered nurse license. The revocation was stayed and respondent was placed on three (3) years probation with conditions. That decision is now final.

VI

The violations set forth in Finding IV(i) and (p), considered separately, would not support a violation of section 2762(e) of the Code, but in this case such violations do constitute a violation of 2762(e) when considered in conjunction with the other violations and with evidence of the facts and circumstances surrounding respondent's conduct found in IV(i) and (p).

VII

(a) The Board's 1983 disciplinary order was based on findings that respondent in June 1982 diverted Demerol for self-administration while employed as a R.N. at Alta Bates Hospital in Berkeley, California, and in January 1983 she diverted Demerol for self-administration while employed as a registered nurse at Doctors Hospital in San Leandro, California.

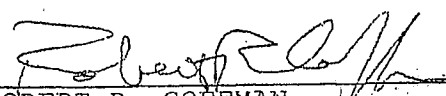
DETERMINATION OF ISSUES

Cause was established for discipline under sections 2750, 2764, 2761(a) and 2762(e) of the Business and Professions Code.

ORDER

Registered Nurse license No. J 270708 issued to Gloria E. Roberts, aka Gloria E. Still, is revoked.

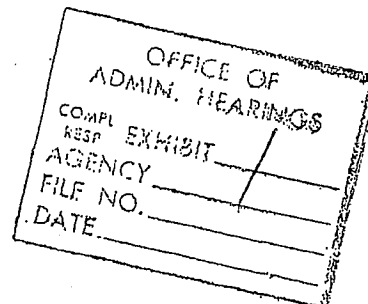
DATED: April 6, 1990


ROBERT R. COFFMAN
Administrative Law Judge

RRC:wc

1 JOHN K. VAN DE KAMP, Attorney General
2 of the State of California
3 R. RICHARD ARNOLD
4 Deputy Attorney General
5 350 McAllister Street, Room 6000
6 San Francisco, California 94102
7 Telephone: (415) 557-1339

8 Attorneys for Complainant



10 BEFORE THE
11 BOARD OF REGISTERED NURSING
12 DEPARTMENT OF CONSUMER AFFAIRS
13 STATE OF CALIFORNIA

13 In the Matter of the Accusation)
14 Against:)

NO. 90-42

15 GLORIA E. ROBERTS)
16 106 Cherry Way)
17 Hayward, California 94541)
18 Registered Nurse License)
19 No. J 270708)

ACCUSATION

Respondent.)

20 Catherine M. Puri, R.N., Ph.D., for causes for
21 discipline, alleges:

22 1. Complainant Catherine M. Puri, R.N., Ph.D., makes
23 and files this accusation in her official capacity as Executive
24 Officer, Board of Registered Nursing, Department of Consumer
25 Affairs.

26 //

27 //

1 2. On August 31, 1976, the Board of Registered Nursing
2 issued registered nurse license number J 270708 to Gloria E.
3 Still (now Roberts). The license will expire November 30, 1989,
4 unless renewed.

5
6 3. Under Business and Professions Code section 2750,
7 the Board of Registered Nursing may discipline any licensee,
8 including a licensee holding a temporary or an inactive license,
9 for any reason provided in Article 3 of the Nursing Practice Act.

10 Under Business and Professions Code section 2764, the
11 expiration of a license shall not deprive the Board of Registered
12 Nursing of jurisdiction to proceed with a disciplinary proceeding
13 against the licensee or to render a decision imposing discipline
14 on the licensee.

15
16 4. "Drugs"

17 "Demerol," a brand of meperidine hydrochloride, a
18 derivative of pethidine, is a Schedule II controlled substance as
19 designated by Health and Safety Code section 11055(c)(16).

20 "Valium," a brand of diazepam, is a Schedule IV
21 controlled substance as designated by Health and Safety Code
22 section 11057(d)(7).

23
24 5. Respondent has subjected her license to discipline
25 under Business and Professions Code section 2761(a) on the
26 grounds of unprofessional conduct as defined in section 2762(e)
27 of that code in that in or about October and November, 1988,

1 while employed as a registered nurse at the Eden Hospital Medical
2 Center, Castro Valley, California, she falsified, made grossly
3 incorrect, grossly inconsistent and unintelligible entries in
4 hospital and patient records pertaining to Demerol and Valium,
5 controlled substances, in the following respects:

6 Patient B.G.

7 a. On October 8, 1988, at 11:30 a.m., on line 8, on
8 the Controlled Drug Record, she signed out 75 mg. of Demerol,
9 charted the patient's medication administration record as having
10 administered the medication but failed to make any entry in the
11 patient's care record regarding pain.

12 b. On October 8, 1988, at 1435, on line 12, on the
13 Controlled Drug Record, she signed out 75 mg. of Demerol, charted
14 the patient's medication administration record as having
15 administered the medication but entered on the Controlled Drug
16 Record that the medication had been wasted.

17 Patient J.R.

18 c. On November 5, 1988, at 0730, on line 1, on the
19 Controlled Drug Record, she signed out 50 mg. of Demerol, charted
20 the patient's medication administration record as having
21 administered the medication but failed to make any entries in the
22 patient care record to complete charting for this patient.

23 d. On November 5, 1988, at 1030, on line 9, on the
24 Controlled Drug Record, she signed out 50 mg. of Demerol, charted
25 the patient's medication administration record as having
26 administered the medication but failed to make any entries in the
27 patient care record to complete charting for this patient.

1 e. On November 5, 1988, at 1330, on line 14, on the
2 Controlled Drug Record, she signed out 50 mg. of Demerol, charted
3 the patient's medication administration record as having
4 administered the medication but failed to make any entries in the
5 patient care record to complete charting for this patient.

6 f. On November 6, 1988, at 1200, on line 9, on the
7 Controlled Drug Record, she signed out 50 mg. of Demerol, charted
8 the patient's medication administration record as having
9 administered the medication but failed to make any entry in the
10 patient's care record indicating that the patient had been
11 medicated.

12 Patient P.W.

13 g. On November 5, 1988, at 1500, on line 16, on the
14 Controlled Drug Record, she signed out 100 mg. of Demerol, but
15 failed to chart the administration on the patient's medication
16 administration record.

17 h. On November 5, 1988, at 1400, on line 10, on the
18 Controlled Drug Record, she signed out 5 mg. of Valium, but
19 failed to chart the administration on the patient's medication
20 administration record.

21 Patient T.E.

22 i. On November 5, 1988, at 0855, on line 2, on the
23 Controlled Drug Record, she signed out 100 mg. of Demerol,
24 charted the patient's medication administration record as having
25 administered the medication, but indicated on the Combined
26 Progress Notes that the medication had been administered at 0800.

27 //

1 j. On November 5, 1988, at 1320, on line 10, on the
2 Controlled Drug Record, she signed out 50 mg. of Demerol, but
3 failed to chart the administration on the patient's medication
4 administration record.

5 k. On November 5, 1988, at 1340, on line 12, on the
6 Controlled Drug Record, she signed out 100 mg. of Demerol, but
7 failed to chart the administration on the patient's medication
8 administration record.

9 l. On November 5, 1988, at 1205, on line 12, on the
10 Controlled Drug Record, she signed out 50 mg. and 100 mg. doses
11 of Demerol, but failed to chart the administration on the
12 patient's medication administration record and the sign out was
13 contrary to physician's order which called for 100 mg. of Demerol
14 every three to four hours for pain.

15 Patient D.S.

16 m. On November 1, 1988, she made an entry on the
17 patient's Patient Care Record indicating that the patient had
18 been medicated two times on that day, when in fact, the patient
19 had been medicated three times.

20 Patient M.S.

21 n. On October 31, 1988, at 1105, on line 4, on the
22 Controlled Drug Record, she signed out 50 mg. of Demerol, noting
23 that 30 mg. was wasted, but failed to note the wastage of the
24 other 20 mg. when the patient refused the medication.

25 o. On October 31, 1988, at 1405, on line 7, on the
26 Controlled Drug Record, she signed out 50 mg. of Demerol, noting
27 that 35 mg. was wasted, but she failed to chart the

1 administration on the patient's medication administration record.
2 Patient J.E.

3 p. On November 1, 1988, at 1440, on line 8, on the
4 Controlled Drug Record, she signed out 75 mg. of Demerol, but
5 charted the patient's medication administration record as having
6 administered the medication at 1430.

7

8 OTHER MATTERS

9 6. To determine the degree of penalty, if any, to be
10 imposed on respondent, it is alleged that on July 29, 1983, the
11 Board of Registered Nursing in case number 83-103, entitled In
12 the Matter of the Accusation Against Gloria Still, R.N. (now
13 Roberts), respondent's registered nurse license was revoked. The
14 revocation was stayed and respondent was placed on three (3)
15 years probation with conditions. That decision is now final.

16

17 WHEREFORE, complainant prays a hearing be had and that
18 the Board of Registered Nursing make its order:

19 1. Revoking or suspending registered nurse license
20 number J 270708, issued to Gloria E. Roberts.

21

//

22

//

23

//

24

//

25

//

26

//

27

//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

2. Taking such other and further action as may be deemed appropriate.

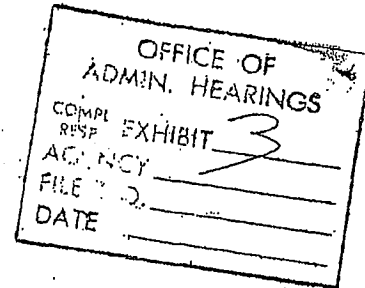
DATED: Oct 22, 1989

Catherine M. Puri
CATHERINE M. PURI, R.N., Ph.D.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

Complainant

03579110-
SF89AD1024(SM)

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 R. RICHARD ARNOLD
Deputy Attorney General
3 6000 State Building
San Francisco, California 94102
4 Telephone: (415) 557-1339
5 Attorneys for Complainant



6
7
8 BEFORE THE
9 BOARD OF REGISTERED NURSING
10 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Accusation)
Against:)
12)
13 GLORIA STILL, R.N.)
18417 Carlwyn Drive)
Castro Valley, California 94546)
14 License No. J 270708)
Respondent.)

No. 83-103

ORDER ADOPTING STIPULATION

15
16
17
18 The attached document designated as Proposed Decision
19 Pursuant to Stipulation is hereby accepted and adopted by the Board
20 of Registered Nursing and shall constitute the decision of the
21 Board in this matter.

22 This order adopting the Stipulation shall become effective
23 July 29, 1983.

24 Dated: June 28, 1983.

25
26 /s/ Ginny Cassidy-Brinn, R.N.

27 President
BOARD OF REGISTERED NURSING
STATE OF CALIFORNIA

1 2. That respondent understands the nature of the
2 charges alleged in the above-mentioned Accusation as grounds
3 constituting cause for disciplinary action.

4 3. That respondent is fully aware of her right to a
5 hearing on the charges and allegations contained in said
6 Accusation, her right to reconsideration, to appeal and to any
7 and all other rights which may be accorded her pursuant to the
8 California Administrative Procedure Act, and that she hereby
9 fully and voluntarily waives her right to a hearing, to
10 reconsideration, to appeal and to any and all other rights
11 which may be accorded her by the California Administrative
12 Procedure Act with regard to said Accusation No. 83-103.

13 4. That Barbara M. Brusstar, Complainant in the case,
14 made and filed the Accusation in her official capacity and not
15 otherwise. That the respondent's license history and status
16 as set forth at paragraph 2 of the Accusation are true and
17 correct.

18 5. That respondent admits that on June 17, 1982,
19 while employed as a registered nurse at Alta Bates Hospital in
20 Berkeley, California, she diverted Demerol for self-administration
21 without legal justification, and that she accomplished said
22 diversion by signing out for Demerol on the hospital controlled
23 drug record for administration to patients when there were
24 no physician's orders for Demerol for the patients and said
25 drugs were not administered to the patients nor charted in the
26 patients' medical records.

27 //

1 6. That respondent admits that on January 25, 1983,
2 while employed at Doctors Hospital in San Leandro, California,
3 she diverted Demerol for self-administration without legal
4 justification, and that she accomplished said diversion by
5 signing out for Demerol on the hospital controlled drug record
6 for administration to the patient and failed to chart the
7 administration of the drug in the patient's medical records.

8 7. That respondent admits that in June of 1982,
9 she used Demerol to an extent and in a manner dangerous or
10 injurious to herself.

11 8. That, based on the foregoing recitals, IT IS HEREBY
12 STIPULATED AND AGREE THAT the Board may issue a decision upon
13 this stipulation whereby the Registered Nurse License No.
14 J-270708, heretofore issued to respondent by the Board, is
15 hereby revoked; provided, however, that execution of this order
16 of revocation is stayed, and respondent is placed on probation
17 for a period of three (3) years, upon the following terms and
18 conditions:

19 a. Respondent shall obey all the laws of the
20 United States, State of California, and its political
21 subdivisions, and all rules and regulations and laws
22 pertaining to the practice of nursing in this state.

23 b. Respondent shall fully and completely comply
24 with the Probation Program established by the Board, and
25 cooperate with representatives of the Board.

26 c. In the event respondent should leave California to
27 reside or practice outside of the state, respondent must notify

1 the Board in writing of the dates of departure and return.
2 Periods of residency or practice outside the State of California
3 will not apply to the reduction of this probationary period.

4 d. Respondent during the period of probation
5 shall report in person to such meetings of the Board of
6 Registered Nursing, or its designated representatives,
7 as directed.

8 e. Respondent, during the period of probation,
9 shall submit such written reports and verification of actions
10 as are required by the Board.

11 f. Respondent, if she be employed in nursing at any
12 time during the period of probation shall have the employer
13 submit to the Board verification that the employer understands
14 the conditions of probation. Respondent may not work for a
15 nurses' registry.

16 g. Respondent shall be employed as a registered
17 nurse only in a setting in which full supervision is provided,
18 and may not function as a supervisor.

19 h. Respondent shall completely abstain from the
20 personal use of narcotics, hypnotics, controlled substances
21 or dangerous drugs, in any form, except when a bonafide
22 patient of a licensed physician and when the same are lawfully
23 prescribed.

24 Upon full compliance with all of the terms and
25 conditions herein, and the expiration of three (3) years from
26 the effective date of this decision, this stay shall become
27 permanent. However, that upon respondent's violation

1 or failure to comply with any of the terms and conditions of
2 probation, the Board, after notice and opportunity to be heard,
3 may, in the exercise of its discretion, vacate the stay and
4 reimpose the revocation or take such other action as it deems
5 reasonable.

6 9. IT IS FURTHER STIPULATED AND AGREED THAT the
7 terms set forth herein shall be null and void, and in no way
8 binding upon the parties hereto, unless and until accepted by
9 the Board.

10

11 DATED: May 19, 1983

JOHN K. VAN DE KAMP
Attorney General of the State of
California

12

13

14

Richard Arnold
R. RICHARD ARNOLD
Deputy Attorney General

15

16

Attorneys for Complainant

17

18

19

DATED: May 11, 1983

Kenneth L. Freeman
KENNETH L. FREEMAN
Attorney for Respondent

20

21

22 //

23 //

24 //

25 //

26 //

27 //

1 I HEREBY CERTIFY THAT I have read the foregoing
2 stipulation and agreement in its entirety; that my attorney of
3 record has fully explained the legal significance and
4 consequences thereof; that I fully understand all of same;
5 and, IN WITNESS THEREOF, I affix my signature this 18th day
6 of May, 1983 at Castro Valley, California.

7
8 Gloria Still R.N.
9 GLORIA STILL, R.N.
Respondent
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

COPY

JOHN K. VAN DE KAMP, Attorney General
of the State of California
R. RICHARD ARNOLD
Deputy Attorney General
6000 State Building
San Francisco, California 94102
Telephone: (415) 557-1339

Attorneys for Complainant

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:) No. 83-103
GLORIA STILL, R.N.) ACCUSATION
18417 Carlwyn Drive)
Castro Valley, California 94546)
License No. J-270708)
Respondent.)

Complainant, BARBARA M. BRUSSTAR, R.N., alleges that:

1. She is the Executive Secretary of the Board of
Registered Nursing, Department of Consumer Affairs, State of
California (hereinafter referred to as "the Board"), and makes
and files this Accusation solely in her official capacity.

2. On August 31, 1976, Gloria Still, R.N.
(hereinafter referred to as "the respondent"), was issued
Registered Nurse License No. J-270708 by the Board. Said
license was at all times herein mentioned in full force and
effect.

//

1 3. Business and Professions Code section 2750
2 provides, in part, that every licensee may be disciplined as
3 provided in this article. (Art. 3, Ch. 6, Div. 2, Business and
4 Professions Code.)

5 4. Business and Professions Code section 2761(a)
6 provides that the Board may take disciplinary action against a
7 licensee for unprofessional conduct.

8 5. Business and Professions Code section 2762(a)
9 provides, in part, that it is unprofessional conduct to obtain
10 or possess in violation of law any narcotic as defined in
11 Division 10 of the Health and Safety Code or any dangerous drug
12 as defined in Article 8 of Chapter 9 of Division 2 of the
13 Business and Professions Code (sections 4211, et seq.).

14 6. Business and Professions Code section 4211 provides,
15 in part, that "dangerous drugs" means any drug unsafe for
16 self-medication and, in part, includes the following:

17 "(K) Any drug or device which bears the
18 legend: 'Caution: federal law prohibits
dispensing without prescription.' "

19 7. Demerol is a narcotic as defined in Division 10 of
20 the Health and Safety Code and a dangerous drug as defined in
21 Business and Professions Code section 4211.

22 8. Respondent is subject to disciplinary action
23 pursuant to Business and Professions Code section 2761(a) in that
24 she has engaged in unprofessional conduct within the meaning of
25 section 2762(a) of said code as follows:

26 a. On or about June 17, 1982, respondent, while
27 employed as a registered nurse at Alta Bates Hospital in Berkeley,

1 California, diverted Demerol for self-administration without
2 legal justification. Respondent accomplished said diversion
3 by signing out for Demerol on the hospital controlled drug
4 record purportedly for administration to patients. There were
5 no physician's order for Demerol for said patients and the drug
6 was not administered to the patients nor charted in the patients'
7 medical records.

8 b. On or about January 19, 21, 24 and 25, 1983,
9 respondent, while employed at Doctors Hospital in San Leandro,
10 California, diverted Demerol for self-administration without
11 legal justification. Respondent accomplished said diversion
12 by signing out for Demerol on the hospital controlled drug
13 record purportedly for administration to patients.
14 Respondent failed to chart the administration of said drug
15 in the patients' medical records and/or charted the
16 administration of the drug but did not administer it.

17 9. Respondent is subject to disciplinary action
18 pursuant to Business and Professions Code section 2761(a) in
19 that she has engaged in unprofessional conduct within the
20 meaning of section 2762(b) of said code as follows:

21 a. In or about June 1982, respondent used narcotics
22 and dangerous drugs, to wit: Demerol to an extent or in a
23 manner dangerous or injurious to herself or to the public and/or
24 to the extent that such use impaired her ability to conduct
25 with safety to the public the practice authorized by her
26 license.

27 //

1 b. On January 25, 1983, respondent, while on duty
2 as a registered nurse at Doctors Hospital, was under the
3 influence of Demerol without legal justification.

4 10. Respondent is subject to disciplinary action
5 pursuant to Business and Professions Code section 2761(a) in
6 that she has engaged in unprofessional conduct within the
7 meaning of section 2762(e) of said code as follows:

8 By means of the matters alleged in paragraph 8 above,
9 respondent has violated section 2762(e) of said code.

10 WHEREFORE, complainant prays that the Board hold a
11 hearing upon the matters contained in the Accusation and,
12 following said hearing, issue a decision suspending or revoking
13 the license No. J-270708, heretofore issued to respondent
14 Gloria Still, and taking such other and further action as the
15 Board deems proper.

16
17 DATED: March 15, 1983

18
19 Barbara M. Brusstar
20 BARBARA M. BRUSSTAR, R.N.
21 Executive Secretary
22 Board of Registered Nursing
23 Department of Consumer Affairs
24 State of California

25
26 Complainant
27